

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Petition of Aviation Spectrum Resources, Inc.)	RM No. 11818
for Amendment of Sections 87.173(b) and)	
87.263(a) of the FCC's Rules to Allow Use of)	
the Lower 136 MHz Band by Aeronautical)	
Enroute Stations)	

REPLY COMMENTS OF AVIATION SPECTRUM RESOURCES, INC.

Aviation Spectrum Resources, Inc. (“ASRI”) hereby submits its reply with respect to comments on its petition for rulemaking for changes to the Commission’s rules concerning Aeronautical Enroute Stations (“AES”) within Subpart I of Part 87.

The public record in this proceeding has received unanimous support to ASRI’s proposal, with remarks from the Air Line Pilots Association, Delta Airlines, Frontier Airlines, Harris Corporation, and JetBlue. All commenters agree that extending the industry assignments of the VHF Data Link Mode 2 (“VDLM2”) into the 136-136.4875 MHz band will be to the benefit of both aviation and the flying public. As Frontier Airlines states in its filing “...many interested stakeholders within aviation including airlines, business operators, helicopter interests and the FAA have met and discussed this matter many times, and ALL are in full support of this proposal.”¹

The use of private industry systems to support the FAA’s DataComm Program (“DataComm”) in an efficient and effective manner is aligned with the Commission’s aims, and

¹Frontier Airlines Comments, submitted 16 Nov. 2018.

has already demonstrated success as seen in the ASRI petition.² Harris Corporation supports this conclusion, noting in its filing that the FAA’s DataComm program using aviation industry networks is “...a key initiative of the FAA’s Next Generation (“NextGen”) transformation, and one that already has demonstrated early progress and is delivering operational benefits to equipped users.”³

In describing the ASRI proposal to extend the use of AES throughout the whole 136-137 MHz band, the Air Line Pilots Association comments that the ASRI proposals provide the “...necessary changes to Sections 87.173(b) and 87.263(a) will improve the safety and efficiency of air transportation”⁴ with Delta Airlines affirming that “[a]dding the lower 136 MHz band [136 – 136.4875 MHz] will continue to yield benefits and is in best interests of the general public.”⁵ There were no comments expressing any concerns with the Part 87 changes proposed, with Harris Corporation stating that such changes to Part 87 “...are minor and reflect how the system currently operates with both aeronautical operational control (“AOC”) and air traffic control (“ATC”) aviation traffic within the adjacent 136.500-137 MHz band.”

² See Appendix B to Petition of Aviation Spectrum Resources, Inc. for Amendment of Sections 87.173(b) and 87.263(a) of the FCC’s Rules to Allow Use of the Lower 136 MHz Band by Aeronautical Enroute, dated 16 Oct. 2018.

³ Harris Corporation Comments, dated 14 Nov. 2018.

⁴ ALPA Comments, dated 14 Nov. 2018.

⁵ Delta Airlines Comments, dated 15 Nov. 2018.

Given the level of support from the commenters, ASRI urges the Commission to move expeditiously to issue a notice of proposed rulemaking as the agency works to bring the flying public, aviation service providers and the FAA the benefits of ASRI's proposal.

Respectfully Submitted,

Aviation Spectrum Resources, Inc.

/s/ Kris E. Hutchison

Kris E. Hutchison, President
Aviation Spectrum Resources, Inc
KEH@ASRI.aero

/s/Andrew C. Roy

Andrew C. Roy, Director of Engineering
Aviation Spectrum Resources, Inc.
180 Admiral Cochrane Drive, Suite 300
Annapolis, MD, 21401
443-951-0340
ACR@ASRI.aero

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Certificate of Service

I, Andrew C. Roy, hereby certify that a copy of the foregoing ASRI Reply Comments was served on the following by email this 4th day of December 2018:

Brian Dalton
Frontier Airlines
4545 Airport Way
Denver, CO 80239
Bdalton@flyfrontier.com

Tania Hanna
Vice President, Government Relations
Harris Corporation
600 Maryland Ave, SW, Suite 850E
Washington, DC 20024
THanna@Harris.com

Capt. Steve Jangelis, Aviation Safety Chair
Air Line Pilots Association, International
535 Herndon Pkwy
Herndon, VA 20170
Steve.Jangelis@alpa.org

Kevin M Heffernan
Manager
- Advanced Communications
Flight Operations, Delta Air Lines
Delta Air Lines
Department 026,
Atlanta, GA 30320-6001
kevin.heffernan@delta.com

Alan Werner
On behalf of JetBlue Airways
27-01 Queens Plaza North
Long Island City, NY 11101
ajwerner@dcgoh.com

/s/ Andrew C. Roy